

PETTY OFFENSE PO <input type="checkbox"/>	JUDGE/MAGISTRATE Assigned	U.S.	SEELY, BILL P. (56)	Case Filed Mo. Day	76-CR-70 - 1
OTHER MINOR OFFENSE MO <input type="checkbox"/>	8509	vs.	Route 2, Box 694	05-25	
OTHER MISDEMEANOR Mis <input type="checkbox"/>	Disp./Sentence		Nowata, OK. 74048	No. of Def's	1
FELONY Fel <input checked="" type="checkbox"/>	1035 4	(LAST, FIRST, MIDDLE)	PH: 273-2235	Yr.	Docket No.
	District Office				

U.S. TITLE/SECTION
18:2313OFFENSES CHARGED
Receiving stolen property
(\$5,000 and/or 5 yrs.)

ORIGINAL COUNTS

U.S. MAG. CASE NO. 76-62M

BAIL • RELEASE

☐ AMT ☐ Fugitive
☐ Denied ☐ Set ☒ Pers. Recog.

\$ 2500.00 conditions

☐ Date 5-13-76 ☐ 10% Deposit
☐ Surety Bond

☐ Bail Not Made ☐ Collateral
☒ Status Changed (See Docket) ☐ 3rd Prty Cust ☐ Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 5-13-76	High Risk Date 5-25-76	6-3-76	Trial Set For 7-19-76	Disposition of Charges 8-10-76
Summons Served	Indict. Waived <input type="checkbox"/>	1st Plea 6-3-76	Voir Dire <input type="checkbox"/> Trial Began <input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/> Convicted <input type="checkbox"/> On All Charges
First Appearance	In Charging District	Final Plea	Trial Ended 7-28-76	<input type="checkbox"/> On Lesser * Offense(s)
	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>			<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Government's Motion

MAGISTRATE		OUTCOME:
Search Warrant	Issued 5-12-76 CSB/850e	<input type="checkbox"/> DISMISSED
	Return 5-13-76 CSB/850e	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Summons	Issued	
	Served	
Arrest Warrant Issued	5-12-76 CSB/850e	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
COMPLAINT	5-12-76 CSB/850e	
OFFENSE (In Complaint)	Receiving and storing a 1976 Winnebago Motor home, knowing same to have been stolen and transported in interstate commerce	

U.S. Attorney or Asst.

Hubert H. Bryant, Ass't.

ATTORNEYS

Defense: ☐ CJA ☒ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD~~Robert G. Brown~~~~500 West 7th St.~~~~Tulsa, OK 74119~~

PH: 582-5141

Carol Russo
Room A. West, 4th Ntl. Bnk. Bldg.,
26 Floor, Tulsa 74119 PH: 587-9411

* Show last names and suffix numbers of other defendants on same indictment/information:

1976

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY
5-25		Record vote of the Grand Jury Concurring, fld. in Open Court. v	(a) (b) (c) (d)
5-25		Indictment, filed in Open Court. Bond set at \$2,500.00, P.O. (Allen E. Barrow, Chief Judge)v	
5-25		Magistrate papers added to file, including complaint, warrant of arrest showing that Deft. was arrested 5-13-76, Info. sheets, search warrant & aff. v	
5-25		Appearance Bond of Deft. in the amount of \$2,500.00, personal, filed w/conditions of release. (Claudine S. Barnes, Mag.)v (Bond made 5-13-76)	
5-26		MO: Case set for ARRAIGNMENT ON 6-3-76 at 10:00 a.m. Deft. granted 10 days from this date to file motions; Govt. then granted 5 days to respond. (AEB-J)v -cps. mld. cert.	
5-27		Mot. for cont. of preliminary hrg., fld. by R. West. v	

DATE	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY			
			Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
6-3-	Case called for arraignment & plea. Deft. present & represented. Govt. represented. Deft. acknow. receipt of indict., is advised of charge & is arraigned. Deft. enters plea of NOT GUILTY. Deft. requests add'l time to file motions. Ct. allows Deft. til 6-28-76 to file motions & Govt. til 7-7-76 to respond. Deft. to stand on present bond.(AEB-J)b					
6-7	Appl. for permission to lve. the N.D. of OK, fld. by Deft. v (o)					
6-8	Order, filed, allowing Deft. to leave NDOk periodically to travel to St. of Ks to engage in conduct of lawful business.(AEB-J)b cps mld		3	6-7-76 6-8-76	E	2
6-8	Notices re jury trial setting mld. cert. this date. v					
6-29	Deft's motion to conduct voir dire w/brief, filed.s <i>cy to Deft.</i>					
6-29	Deft's motion for production of records pursuant to the Jencks act with brief included, filed.s <i>cy to Deft.</i>					
6-29	Deft's motion to request the U. S. Attorney for N/D Okla. to disclose information w/brief included, filed.s <i>cy to Deft.</i>					
6-29	Deft's motion to quash search warrant and suppress evidence w/brief included and affidavit in support, filed.s <i>cy to Deft.</i>					
6-29	Deft's motion for information, filed.s <i>cy to Deft.</i>					
6-29	Deft's motion for grand jury minutes of transcript w/brief included, filed.s <i>cy to Deft.</i>					
6-29	Deft's motion for continuance from trial docket set for 7-19-76 w/authority included, filed.s <i>cy to Deft.</i>					
6-29	Deft's motion for pre-trial conference, filed.s <i>cy to Deft.</i>					
7-1	Pltf's response to deft's motion for grand jury minutes or transcript, filed.s		3	7-1-76	E	
7-1	Pltf's response to motion of deft. to disclose information, filed.s <i>cy to Deft.</i>					
7-1	Pltf's response to deft's motion for information, filed.s <i>cy to Deft.</i>					
7-1	Pltf's motion and brief for disclosure by deft. of certain documents, filed.s <i>cy to Deft.</i>					
7-12	MO: Case set for hearing on motion to quash search & to suppress on 7-14-76, at 11:00 A.M.(AEB-J)b nts by phone & m1					
7-13	Response to Mot. by Pltf. for Disclosure by Deft, fld. v					
7-13	Suppl. brief & mot. for information, fld. v -cps to Dene					
7-13	Govt's response to Deft's motion to quash & suppress search warrant, filed. b <i>cy to Deft.</i>					
7-13	Order sustaining Deft's request for exculpatory information, should any become available to Govt., & Overruling motion for grand jury minutes or transcript. filed.(AEB-J)b cps mld					

For Identifying
Periods of Excludable
Delay Per 18
U.S.C. 3161(h)A. Examination or
hearing for
mental or
physical in-
capacity (18
U.S.C. 4244)B. NARA Exami-
nation (28
U.S.C. 2902)C. State or Federal
trials on other
charges.D. Interlocutory
Appeals.E. Hearings on
pretrial motions.F. Transfers from
other districts
(per F.R.Cr.P.
Rules 20, 21
& 40).G. Defendant Motion
is actually
under advisement.
Period of
up to 30 days
is excludable
per
3161(h) (1) (G).H. Miscellaneous
Proceedings:
Probation or
Parole revoca-
tion, Deporta-
tion,
Extradition.I. Prosecution deferred by
mutual agree-
ment.M. Unavailability
of defendant
or essential
witness.N. Period of men-
tal or physical
incompetence
of defendant to
stand trial.O. Period of
NARA Commit-
ment or
Treatment.P. Superseding
indictment
and/or new
charges.R. Defendant
awaiting trial
of Co-defen-
dant when no
severance has
been granted.T. Continuances
Granted per
3161(h) (4)
(i.e. ends of
justice or com-
plexity of case
outweighs de-
fendant's
interests).U. Time between
guilty plea and
plea with-
drawal.W. Grand Jury in-
dictment ex-
tended per
3161 (c).

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER
8-18-76	91 \$5,000.00		5-15-78	U.S.G.	\$5,000
8-23-76	C.D. purchased in amt of \$5,000		5-15-78	Gen. Seely	\$496.87
5-15-78	C.D. matured w/ principal and interest	\$5,496.87			

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1976	(Document No.)				
7-13	Order, overruling Deft's motion for continuance, without prejudice, filed. (AEB-J)b cps mld				
7-13	Order overruling Deft's motion requesting Govt. to disclose information, Further Ordered Deft's motion for production of records pursuant to the Jencks Act is overruled, & Further Ordered that Pltf's motion for disclosure by Deft. be & is hereby sustained as to items requested by Govt. which Deft. intends to introduce as evidence in chief at trial, filed. (AEB-J)b cps mld				
7-13	Order overruling Deft's motion to conduct voir dire, and Further Ordered that pre-trial conf., if necessary, be & is hereby set immediately following hearing on Deft's motion to quash warrant & to suppress evidence set at 2:30 P.M., 7-14-76. (AEB-J)b cps mld	3	<u>7-13-76</u>	E	13
7-13	MO: Hearing on motion passed to 2:30 P.M., 7-14-76. (AEB-J)b nts by phone				
7-14	Case called for hearing on motion to quash warrant & to suppress. Deft. present & represented. Govt. represented. Deft. requests rule be invoked. Ct. invokes rule. Deft. witnesses sworn & testify. Govt. witness sworn & testifies. Court takes motion under advisement. Govt. makes oral motion to w/draw exhibits 1 thru 4. Court allows. (AEB-J)b	3	<u>7-14-76</u>	E	
7-16	Subpoenae, ret. & filed: served Agt. Bob Brousil, FBI, Les Farris, FBI, Miami, Ok., Howard Hensley & Charles Moore, Nowata, Ok., Agt. Nolan, FBI, filed. g(\$20.48)				
7-16	Order, filed, Overruling Deft's motion to quash search warrant & suppress evidence. (AEB-J)b cps mld	3	<u>7-16-76</u>	E	3
7-19	Case called for jury trial. Deft. present & represented. Govt. represented. Deft. presents motion in limine. Ct. allows out of time filing of motion. Parties retire for pre-trial conference. Parties return to Ct. for hearing on motion. Witness sworn & testifies. Motion in limine overruled, except that which concerns questioning of witness on past record, which is sustained. (3:35 P.M.) Parties announce ready for trial & jury is selected & sworn. Ct. adjourned until 7-20-76, 2:00 P.M. (AEB-J)b				
7-19	Motion in Limine, filed. b				
7-19	Brief in support of motion in limine, filed. b				
7-19	Deft's requested questions for voir dire of jury, filed. b				
7-19	Deft's exhibits, filed. b				
7-19	MO: Jury trial passed to 7-21-76, at 10:00 A.M. (AEB-J)b nts by phone				
7-22	Return on Subpoena to Produce Document or Object, fld. Served Ben F. Pearson in Tulsa on 7-15-76. Served Loretta Allen in Talala, OK, on 7-8-76. Total Fees: \$1644. v				
7-22	Return on Subpoena to Testify, fld. Served Mike Wood in Tulsa on 7-16-76. Served Bill Summers in Nowata, OK, on 7-16-76. Served Howard H. Hensley in Nowata, OK, on 7-16-76. v Fees: \$18.00.				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
7-22	Case tried to jury on 7-21 & 7-22-76. Deft. present & represented. Govt. represented. Parties announce ready. Jury previously selected & sworn on 7-19-76. All witnesses sworn & rule invoked. Parties make open statements & Pltf. presents case in chief w/ testimony of witnesses. Ct. recessed for lunch at 12:05, 7-22. (2:20 P.M.) Ct. reconvenes & Ct. announces it has received word from Deft. co. office & Deft counsel has suffered a heart attack. Ct. excuses jury at 2:30 & advises them to call code-a-phone after 5 P.M. this date for date & time to appear for Ct. All witnesses to report back 7-23-76, 10:00 A.M.(AEB-J)b				
7-22	MO: It is ordered by the Court that case is passed to Monday, July 26, 1976 at 10:00 A.M.(AEB-J)b All parties notified.				
7-26	Reporter's partial transcript of proceedings had on 7-21 & 22-76, filed. (GRD-USCR)k (transcript removed & incorporated in entire				
7-27	Return on service of subpoenas, filed. Served Tom (appeal record)rm				
7-28	Quillin and Sue Quillin, both on 7-27-76 at Tulsa, OK k				
7-28	Jury trial continued on 7-26, 7-27& 7-28-76. Deft. present & represented by Carol Russo, Assoc. of Mr. West & Deft. announces he is agreeable to continuing trial w/Miss Russo as counsel. Govt. represented. Cross examination of Pltf. witness Farris continues. Pltf. rests. Deft's motion for dismissal & for directed verdict, denied. Deft. presents case in chief w/testimony of witnesses. Parties stipulate to what Mrs. Robinson & Mrs. Quillin would testify if called. (7-27, 11:20 A.M.) Ct. orders Jury to lunch at Govt. expense. (2:25 P.M.) Parties present rebuttal evidence w/test. of witnesses & rest. Deft's renewed motion for dismissal, overruled. Closing arguments made & Ct. instructs jury. Bailiff sworn. Jury retires to deliberate at 3:55 P.M., 7-27-76. (4:20 P.M.) Note from Jury foreman. (5:20 P.M.) Jury excused until 7-28-76, 9:30 A.M. to cont. deliberating. 7-28-76, 9:30 A.M. Jury continues deliberation. (10:40 A.M.) Deft. co. makes record. (10:47 A.M.) Jury returns w/verdict. Verdict, received, read & filed in open court finding Deft. GUILTY as charged in indictment. Verdict spread of record by Clerk. Deft. advised of right to appeal. Deft. gives oral notice of appeal & Ct. advises Deft. to file written notice. Ct. orders pre-sent. report. Govt. requests bond be increased. Ct. increases bond to \$10,000 C/S. Deft. remanded to USM. Sentencing set for 8-10-76, 10:00 A.M.(AEB-J)b				
7-28	Verdict, filed. b				
7-28	Trial exhibits filed. b in vault				
7-28	Note from Jury foreman, filed. b				
7-28	Appearance Bond of Deft. Seely in amount of \$10,000.00, cash, fld. w/Conditions of Release. (Morris L. Bradford, Mag.)				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs BILL P. SEELY

76 - CR - 70 - 1

Yr. | Docket No. | Def.

DATE '76	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
	(Document No.)	(a)	(b)	(c)	(d)
7-27	Return on Subpoenas to Produce Documents, fld. Served R. D. McCay by serving Steven R. Wiechman in Topeka, KS, on 7-15-76, w/fees of \$3.00. Served Frank Harris in Joplin, MO., on 7-14-76, w/fees of \$19.80. Served Carl Cox in Joplin, MO., on 7-14-76, w/fees of \$3.00. Served Frank Campbell in Oswega, KS, on 7-15-76, w/fees of \$3.00. Served Dick Butler in Pittsburg, KS, on 7-15-76, w/fees of \$51.00. In re Donald A. Peterson, by agreement with atty. for pltf., witness was advised by phone to appear & agreed to do same. (TOTAL FEES: \$79.80 v				
7-28	Appl. of USA to return property rec'd pursuant to search warrant, fld. v -atty. to deliver o to Judge.				
7-20	Order, filed, that Winnebago be returned to rightful owner. (AEB-J) cps mld.				
8-4	Return on subpoenas to Produce documents, filed. Unserved on R. Hauger, Reg. Clms Mgr, MIC. Unserved on B.K.Quinn, Area Spr. MIC. b				
8-10	Return on subpoenas to testify, filed. Served Tom & Sue Quillin on 7-16-76, w/fees \$10.08. Served C. D.Delozier on 7-16-76, w/fees \$2.00. Served Mr. & Mrs. Ernest Robinson on 7-16-76, w/fees \$22.00. Served Billy Bailey on 7-16-76, w/fees \$2.00. Served Charles D. Hicks on 7-16-76 w/fees \$2.00. Served Dennis Murdock on -7-16-76, w/fees \$2.00. Served Jack Ellis on 7-16-76 w/fees \$2.00. Served Weston Wells on -7-16-76, w/fees \$2.00. Unserved on Dick Butler w/fee \$1.00. b				
8-10	Case called for sentencing. Deft. present & represented. Govt. represented. Deft. & co. asked if they have anything to say before sentence is pronounced: Judgment & Sentence - Bill P. Seely Atty. Gen. - Eighteen (18) mos. and a fine of \$5,000.00 payable to Reg. of Ct., prior to filing of notice of appeal. Deft. gives oral notice of appeal. Bond to remain same. If written notice of appeal is not filed w/in 10 days Deft. is to report to USM (8- -76)(AEB-J)b				
8-10	Judgment & Commitment, filed & entered.(AEB-J)b				
8-10	Two c/c of J&C to USM. b				
8-17	Deft's motion & brief for stay of execution, & relief pending review, filed. b cpy to Dene				
8-17	MO: Case set for hearing on Deft's motion for stay of execution on 8-25-76, at 10:00 A.M.(AEB-J)b nts mld				
8-18	Notice of appeal by deft., filed. (cp to USCA & counsel)				
8-19	Order, filed, directing Ct. Clerk to invest the \$5000.00 tendered in pmt. of fine in interest bearing funds; if judg. of court is affirmed said sum shall be in full pmt. of fine and any excess over \$5000 remitted to the depositor; if judg. is reversed the total amt. + earnings to be remitted to depositor; mot. to stay execution of fine overruled as moot. (AEB-J)g				
9-1	Designation of Record on Appeal, filed. lm				
9-22	Order, filed, granting Ct. reporter ext of time to complete transcript and granting appellant to 10/27/76 to transmit original record on appeal.(AEB-J)rm-copies to counsel and USCA				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

76-CR-70

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1976	(Document No.)				
10-15-76	Reporter's transcript of proceedings had on 6-3-76, filed.s (GRD-USCR)				
10-15-76	Reporter's transcript of proceedings had on 7-22-76, filed.s (GRD-USCR)				
10-18-76	Appeal record (5 vols) transmitted to USCA. RM				
11-18-76	Reporter's transcript of proceedings had on July 26, 1976, filed. Glen R. Dorrough, USCR.s				
11-22-76	Deft. Bill P. Seely's application for permission to leave the N/D of Okla., filed.s O to J				
11-23-76	Order, filed, permitting deft. to travel to Texas during Thanksgiving and Christmas holidays, 1976. (AEB-J)g cp mld.				
2-24-77	Subs. issued 7-27-76, ret. & filed: served Tom Galloway, Frank Stockham, L. R. Arnold & Detective Lawrence Grace in office of U.S. Atty. on 7-27-76. g				
3-3-78	Mandate and Opinion of 10th Circuit, filed and spread of record, affirming Court's judgment of 8/10/76 and directing deft. to surrender himself within 10 days from this date. rm				
3-10-78	Deft. mot. for modification of sentence w/brief, fld. ho cpy. to Dene.				
3-15-78	Order, fld. It is ordered that the mot. for discretionary modification of the sentence of Bill P. Seely is overruled. (AEB-J)ho c/m				
3-28	Order, filed, exonerating bond and directing Clerk to refund \$10,000 cash bond to Jean Seely. (AEB-J)k cpy & check mld 3-29-78				
3-30	J&C, ret. & filed: deft. Seely delivered to Tulsa County Jail on 3-14-78, to F.C.T., El Reno, Ok. on 3-18-78; and to USP, Leavenworth, Ks. on 3-22-78. g				
5-5-78	Orig. appeal record (5 vols) received from USCA. rm				
5-15	Order, filed, directing Court Clerk to disburse interest on fine to Jean Seely in amt. of \$496.87. (AEB-J)k cpy & ck mld				
5-15	\$5,000 fine paid to U.S.A.				
1-17-79	Order, fld. It is ordered that the U.S. Ct. Clk. return to the respective parties all remaining exhibits in his possession, (AEB-J)ho w/receipt from Ken Snoke, A.U.S.A.				
3-24-83	EXHIBITS returned to counsel. hm				